

AARON D. FORD
Attorney General
MATTHEW S. JOHNSON (Bar No. 12412)
Senior Deputy Attorney General
State of Nevada
Office of the Attorney General
100 North Carson Street
Carson City, NV 89701-4717
Phone: (775) 684-1134
Fax: (775) 684-1108
msjohnson@ag.nv.gov
Attorneys for Respondents

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UBALDO SALDANA-GARCIA,

Petitioner,

vs.

BRIAN WILLIAMS, *et al.*,

Respondent.

Case No. 2:19-cv-00441-APG-BNW

**UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME TO FILE
RESPONSE TO FIRST AMENDED
PETITION FOR WRIT OF HABEAS
CORPUS (FIRST REQUEST)**

Respondents, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, hereby respectfully move this Court for an order granting a sixty (60) day enlargement of time which runs from the date this Court issues its decision on Petitioner's motion for a stay.

This motion is based upon the provisions of Rule 6(b) of the Federal Rules of Civil Procedure and the attached Declaration of Counsel, as well as all other papers, documents, records, pleadings and other materials on file herein.

There has been no prior enlargement of Respondents' time to file said response, and this motion is made in good faith and not for the purposes of delay.

RESPECTFULLY SUBMITTED this 30th day of May, 2023.

AARON D. FORD
Attorney General

By: /s/ Matthew S. Johnson
MATTHEW S. JOHNSON (Bar. No. 12412)
Senior Deputy Attorney General

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DECLARATION OF COUNSEL

I, Matthew S. Johnson, hereby state, based on personal knowledge and/or information and belief, that the assertions of this declaration are true:

1. I am a Senior Deputy Attorney General of the Post-Conviction Division of the Nevada Attorney General's Office, and I make this declaration on behalf of Respondents' motion for enlargement of time.

2. My answer to the petition in this matter is presently due on June 2, 2023. However, I am currently working on a response to a motion to stay in this same case which is presently due on June 15, 2023. I respectfully request a 60-day extension to complete my answer in this matter which runs from the date this Court issues its decision on Petitioner's motion for a stay.

3. It would be premature to answer the petition if this Court later decides to grant Petitioner's motion for stay. I also have a number of other cases which also require my attention preventing me from completing the answer in this matter on time.

4. The Post-Conviction Division of the Nevada Attorney General's Office is presently staffed by 9 full-time post-conviction attorneys, two attorneys who primarily work for other divisions,

1 and one legal researcher who is shared with other divisions. Among other duties, the attorneys in the
2 Post-Conviction Division respond to all federal habeas cases (in the district court and appeal), all state
3 habeas cases involving time-computation issues (in state district court and appeal), all extradition and
4 rendition matters, all wrongful conviction compensation cases, and all appeals and post-conviction
5 cases arising from Attorney General criminal prosecutions.

6 5. For the foregoing reasons, I respectfully request that this Court grant a 60-day extension
7 to complete my answer in this matter which runs from the date this Court issues its decision on
8 Petitioner's motion for a stay.

9 6. I contacted counsel for the Petitioner and they have no objection to this request.

10 Pursuant to 28 U.S.C. § 1746, Declarant herein certifies, under penalty of perjury, that the
11 foregoing is true and correct.

12 RESPECTFULLY SUBMITTED this 30th day of May, 2023.

13
14 By: /s/ Matthew S. Johnson
15 MATTHEW S. JOHNSON (Bar. No. 12412)
16 Senior Deputy Attorney General

17 IT IS SO ORDERED.

18 Dated this __2nd__ day of __June__, 2023.

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21 _____
22 DISTRICT COURT JUDGE
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CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General and that on this 30th day of May, 2023, I served a copy of the foregoing **UNOPPOSED MOTION FOR ENLARGEMENT OF TIME TO FILE RESPONSE TO FIRST AMENDED PETITION FOR WRIT OF HABEAS CORPUS (FIRST REQUEST)** by U.S. District Court CM/ECF electronic filing to:

Amelia Bizzaro
Assistant Federal Public Defender
411 E. Bonneville Ave. Ste. 250
Las Vegas, Nevada 89101
Amelia_bizzaro@fd.org

/s/ April Markiewicz